



1950

International Commission
for the
Northwest Atlantic Fisheries



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Application of Convention Article VIII, as amended, to harp and hood seals

1. On 29 April 1966, the Protocol, adopted by the Commission on 9 June 1961, Relating to Harp and Hood Seals entered into force. Article III of the of the Protocol specifies that "Proposals in accordance with Article VIII of the Convention for joint action by Contracting Governments with respect to harp and hood seals shall become effective for all Contracting Governments four months after the date on which notifications of acceptance have been received by the Depository Government from all the Contracting Governments participating in the Panel for harp and hood seals (ICNAF Handbook, 1969 Revision, p.30). This Article is in accord with paragraph 8 of Convention Article VIII which entered into force 3 July 1950 (ICNAF Handbook, 1969 Revision, p.16).
2. On 19 December 1969, the Protocol, adopted by the Commission on 6 June 1964, Relating to Entry into Force of Proposals adopted by the Commission entered into force. Article I of the Protocol details amendments to paragraphs 7 and 8 of Article VIII and specifies that "Each proposal made by the Commission under paragraphs 1 or 5 of this Article shall become effective for all Contracting Governments six months after the date on the notification from the Depository Government transmitting the proposal to the Contracting Governments, except as otherwise provided herein." (ICNAF Handbook, 1969 Revision, p.35).
3. This Article conflicts with Article III of the Harp and Hood Seal Protocol which as shown above specifies that proposals shall become effective for harp and hood seals four months after the receipt of notification of acceptance by all Contracting Governments participating in the Seal Panel.
4. In order to eliminate the confliction and to ensure that the intention of the Commission, which was to have the provisions of the amended Article VIII apply also to harp and hood seals, is authenticated, the Depository Government has prepared the attached Declaration of Understanding (Appendix I) for adoption by the Commission at its 20th Annual Meeting. The Declaration ensures that the provisions of the 1964 Protocol amending Article VIII applies also to proposals adopted by the Commission pursuant to the 1961 Protocol extending the provisions of the Convention to harp and hood seals.

DECLARATION OF UNDERSTANDING

Regarding the International Convention for the Northwest Atlantic Fisheries as Amended

1. The Governments parties to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949, as amended, hereinafter referred to as the Convention, hereby declare their understanding that the provisions of the Protocol dated November 29, 1965 Relating to Entry Into Force of Proposals Adopted by the Commission applies also to proposals adopted by the Commission pursuant to the Protocol dated July 15, 1963 extending the provisions of the Convention to harp and hood seals.
2. This Declaration shall enter into force on the date upon which all the Governments parties to the Convention have signed or accepted this Declaration. Any Government becoming a party to the Convention after this Declaration has been opened for signature shall be deemed to have accepted this Declaration.
3. The Government of the United States of America shall inform all Governments parties to the Convention of all signatures and acceptances of this Declaration and of the date upon which this Declaration enters into force.
4. The original of this Declaration shall be deposited with the Government of the United States of America, which Government shall communicate certified copies thereof to all the Governments parties to the Convention.
5. This Declaration shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter, following which period it shall remain open for acceptance.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Declaration.

DONE at Washington this _____ day of _____ 1970, in the English language

For Canada:

For Denmark:

For France:

For the Federal Republic of Germany:

For Iceland:

For Italy:

For Norway:

For Poland:

For Portugal:

For Romania:

For Spain:

For the Union of Soviet Socialist Republics:

For the United Kingdom of Great Britain and Northern Ireland:

For the United States of America: